

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS**

**INSTRUCTIONS TO *PRO SE* PLAINTIFF**

You are proceeding *pro se*. *Pro se* means you are representing yourself. The following list of instructions is provided to assist you. This list does not include everything you need to know to pursue your claim, but following it may prevent you from making common mistakes that will cause delay or result in a pleading being returned to you.

1. **Filing Procedures.** You must submit an original **and** one copy of each pleading you want filed. The fee for the Clerk to make copies for you is \$.50 per page, payable at time of copy request. If you want a file stamped copy for yourself, you must submit an original and two copies (note: if you later want additional file stamped copies, you must pay copy costs). Your pleadings must be typed, printed or legibly handwritten on numbered pages. Illegible pleadings will be returned to you for re-submission. Do not write on the back of a page. Do not send exhibits, affidavits, grievances, witness statements, or other materials to the Clerk to be copied and returned to you. Any documentation submitted with a pleading must be attached to the pleading and referred to in the pleading. Any exhibits or discovery material not attached to a pleading may be returned to you.

2. **Address Change.** You must keep the Clerk advised at all times of your current address. If you are moving, or have moved, you must promptly file a **written** change of address notice with the Clerk. Failure to notify the Clerk of your address change may result in your case being dismissed.

3. **Rules to Follow.** You must read and follow both the Federal Rules of Civil Procedure and the Court's local rules. Furthermore, you must strictly comply with Rules 8 and 11 of the Federal Rules of Civil Procedure.

4. **Request for Attorney.** Although 28 U.S.C. §1915(e)(1) provides that a court may request an attorney to represent any person unable to obtain counsel, the courts are not empowered to make compulsory appointments in civil actions. See *Mallard v. U.S. Dist. Court for the Southern Dist. of Iowa*, 490 U.S. 196, 301-302 (1989). You may call the Lawyer Referral Service of the State Bar of Texas at (800) 252-9690 for assistance in securing the services of a private attorney.

5. **Initial Case Review.** If the Court grants leave to proceed *in forma pauperis*, then: (a) service of process will be withheld pending review pursuant to 28 U.S.C. §1915; (b) your complaint may be dismissed pursuant to 28 U.S.C. §1915; (c) no amendments to the complaint can be filed without prior court approval; and (d) no discovery can be conducted until permitted by the Court.

6. **Copies to Defendant.** After a defendant has been served, you must send a copy of any pleading you submit to the Court to the defendant's attorney (or to the defendant, if not represented). All documents must contain a certificate of service reflecting a copy has been sent to the opposing side. The Clerk is not permitted to forward copies of the pleadings to the opposing party for you. Your certificate of service should read as follows:

I, \_\_\_\_\_, (Plaintiff) do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, a true and correct copy of the foregoing pleading was forwarded to \_\_\_\_\_, the attorney for (Plaintiff) at the address of \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(signed)  
(Plaintiff)

7. **Discovery Materials.** If you are permitted to engage in discovery, you are not to file discovery materials with the Clerk. If you file a motion to compel discovery, you should attach the relevant portions of the discovery for which you are asking the Court to compel compliance. Otherwise, discovery requests should not be submitted to the Court.

8. **Questions About Your Case.** Do not write letters to the Judge asking questions about your case. It is improper for the Judge to correspond with only one party to a lawsuit. Do not write letters to the Clerk asking for instructions on how to handle your case. The Clerk is prohibited from giving legal advice.